



# Thrift Savings Plan BULLETIN

for Service TSP Representatives

**Subject:** Revision of Form TSP-U-16, Exception to Spousal Requirements

**Date:** August 1, 2002

The Federal Retirement Thrift Investment Board has revised [Form TSP-U-16, Exception to Spousal Requirements](#), for use in the new record keeping system. The August 2002 revision of the form will be available from the **uniformed services section** of the Thrift Savings Plan (TSP) Web site at [www.tsp.gov](http://www.tsp.gov) beginning August 23, 2002. An advance copy of the revised form is attached to this bulletin.

**Purpose of Form TSP-U-16.** Form TSP-U-16 is used by married participants who are requesting a waiver of the spousal requirements that must be met to obtain a TSP loan or withdrawal (in-service or post-employment). These requirements are delineated on the back of Form TSP-U-16 and are explained in the TSP loan and withdrawal booklets.

**Service responsibilities.** Participants may obtain Form TSP-U-16 from the TSP Web site or from the TSP Service Office. Services should also provide the form to participants upon request. Services may obtain the form by downloading it from the Web site, or they may have a representative of their central distribution point order a supply by completing the Thrift Savings Plan Publications Order Form (TSP-U-40).

PAMELA-JEANNE MORAN  
Deputy Director  
Office of External Affairs

Attachment: Form TSP-U-16, Exception to Spousal Requirements

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**Inquiries:** Questions concerning this bulletin should be directed to the Federal Retirement Thrift Investment Board at **(202) 942-1460**.

**Chapter:** This bulletin may be filed in Chapter 7, Loan Program, or Chapter 8, Withdrawal Program.

**Supersedes:** This bulletin supersedes TSP Bulletin 02-U-5, Form TSP-U-16, Exception to Spousal Requirements, dated February 8, 2002.



# THRIFT SAVINGS PLAN EXCEPTION TO SPOUSAL REQUIREMENTS

TSP-U-16

Members of the uniformed services must use this form to request an exception to the Thrift Savings Plan (TSP) spouse signature requirements. **Read the instructions on the back before completing this form.** Type or print the information requested.

## I. INFORMATION ABOUT YOU

1. Name \_\_\_\_\_  
Last First Middle
2. Social Security No. \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_
3. Date of Birth \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_  
mm dd yyyy
4. Telephone (Area Code and Number) (\_\_\_\_\_) \_\_\_\_\_  
(Not Defense Switched Network (DSN))
5. Address \_\_\_\_\_  
Street address or box number
6. City \_\_\_\_\_
7. \_\_\_\_\_ 8. \_\_\_\_\_  
State/Country Zip Code
9. I am applying for a Thrift Savings Plan:  Loan  Withdrawal

## II. REQUEST FOR EXCEPTION

10. \_\_\_\_\_ 11. \_\_\_\_\_  
Name of Spouse (Last) (First) (Middle) Spouse's Social Security Number

### 12. Whereabouts Unknown

- I am asking for an exception to the requirement to obtain the signature of my spouse identified above because I do not know where my spouse is. I have made a good faith effort to locate my spouse in the 90 days before I submitted this request and have been unable to do so through any person or other source. The required statements or police, agency, uniformed services, or judicial determinations are attached to this form.

### 13. Exceptional Circumstances

- I am asking for an exception to the requirement to obtain the signature of my spouse identified above because exceptional circumstances make it inappropriate for me to obtain my spouse's signature. A copy of an order or determination of a court or other governmental or uniformed services body which recites the exceptional circumstances is attached.

## III. YOUR SIGNATURE AND CERTIFICATION

I certify that the information I have provided in connection with this request is true and complete to the best of my knowledge. **Warning:** Any intentional false statement or willful misrepresentation in this form is a violation of law that is punishable by a fine of as much as \$10,000 or imprisonment for as long as 5 years or both (18 U.S.C. 1001).

14. \_\_\_\_\_ 15. \_\_\_\_\_  
Participant's Signature Date Signed

## IV. OFFICIAL USE ONLY

16.  Approved  Disapproved 17. \_\_\_\_\_  
Date

**PRIVACY ACT NOTICE.** We are authorized to request this information under 5 U.S.C. chapter 84. Executive Order 9397 authorizes us to ask for your Social Security number, which will be used to identify your uniformed services TSP account. We will use the information you provide to process your request for an exception to spousal requirements. This information may be shared with Federal agencies or the uniformed services for statistical, auditing, or archiving purposes. In addition, we may share the information with law enforcement agencies investi-

gating a violation of civil, criminal, or military law, or agencies implementing a statute, rule, or order. It may be shared with congressional offices, private sector audit firms, spouses, former spouses, and beneficiaries, and their attorneys. We may also disclose relevant portions of the information to appropriate parties engaged in litigation. You are not required by law to provide this information, but if you do not provide it, we will not be able to process your request.

## INFORMATION AND INSTRUCTIONS

### GENERAL INFORMATION

Make a copy of this form and all documents for your records. Mail the original form along with supporting documents to: **TSP Service Office, National Finance Center, P.O. Box 61500, New Orleans, LA 70161-1500**. Telephone number: (504) 255-8777, TDD: (504) 255-5113.

By law, your spouse (including a separated spouse) has certain rights which must be taken into consideration when you withdraw or borrow from your uniformed services TSP account. The legal requirements are summarized in the chart below. It is your responsibility to obtain the signature of your spouse when it is required.

The TSP will notify you of the decision regarding your request for an exception to the spouses' rights requirements. An exception may be granted only under limited conditions.

Activity	Requirement	Exception
Loan, In-Service Withdrawal or Partial Withdrawal After Separation	Spouse must give written consent.	Whereabout unknown or exceptional circumstances
Full Withdrawal After Separation	Spouse is entitled to a joint life annuity with 50% survivor benefit, level payments, and no cash refund feature unless he or she waives this right.*	Whereabout unknown or exceptional circumstances

\*These requirements do not apply if your vested account balance is \$3,500 or less at disbursement.

**Note:** A withdrawal request or a loan application received within 90 days of an approved exception may be processed as long as the spouse identified on the form is the spouse for whom the exception was approved.

### SECTION I

**1 – 9:** Complete all items in this section.

### SECTION II

If you are a **married uniformed services TSP participant**, your spouse's signature is required to waive the required joint annuity when you make a post-separation full withdrawal; it is also required to consent to your loan, in-service withdrawal, or post-separation partial withdrawal. For all withdrawals, your spouse's signature must be notarized. You may request a waiver of the signature requirement if your **spouse's whereabouts are unknown** or if **exceptional circumstances** make it inappropriate to obtain your spouse's signature.

**10 – 11:** Enter your spouse's name and Social Security number.

**12: Whereabouts Unknown.** If you are requesting an exception to the spouse's waiver because your spouse's **whereabouts are unknown**, you must attach to this form either:

- a court order which states that the whereabouts of your spouse are unknown, **OR**
- a police, governmental agency, or uniformed services determination issued by the appropriate department or division head which states that the whereabouts of your spouse are unknown, **OR**
- three statements, including:
  - a statement by you that
    - (1) provides the full name of your spouse;
    - (2) clearly states that you are unable to locate your spouse;
    - (3) states the last time you knew your spouse's location;
    - (4) explains why your spouse's location is not known; and
    - (5) describes in detail the efforts you have made to locate your spouse in the 90 days preceding your submission of this request, and the results of those efforts; **and**
  - statements from two persons supporting your statement that you do not know your spouse's location and describing the person's knowledge of your efforts within the last 90 days to locate your spouse.

Each statement must be signed and dated and must contain the following statement:

I understand that a false statement or willful misrepresentation in this form is a violation of law that is punishable by a fine of as much as \$10,000 or imprisonment for as long as 5 years or both (18 U.S.C. 1001).

**13: Exceptional Circumstances.** If you are requesting an exception to your spouse's waiver based on **exceptional circumstances**, you must attach either a court order or a governmental or uniformed services agency determination issued by the appropriate department or division head explaining the exceptional circumstances. For example, a court order could indicate that you and your spouse have been maintaining separate residences with no financial relationship for three or more years; or indicate that your spouse abandoned you but for religious or other compelling reasons, you chose not to divorce; or state that you may borrow money from or withdraw all or a portion of your TSP account notwithstanding the absence of your spouse's signature. A determination issued by a uniformed service could indicate that your spouse is a prisoner-of-war or is missing in action.

### SECTION III

**14 – 15:** You must sign and date this section certifying that the information you provided is true and complete to the best of your knowledge.

### SECTION IV

**16 – 17:** The TSP completes this section.